



Roadmap for the Journey  
The Trainer's Guide

# Module 4





## **Description of Module 4**

### **Rules for the Road Laws, Regulations, and Procedural Safeguards**

It is critical for those working with families of young children to adhere to the highest standards of ethical behavior. Core values and principles of ethical conduct are reviewed in this module based on The Division for Early Childhood's Code of Ethics and the Code of Ethical Conduct position statement of the National Association for the Education of Young Children.

It is equally important for early intervention service coordinators to understand the laws, regulations, and procedural safeguards that provide protection for families and service providers throughout the early intervention process. These checks and balances help ensure that the priorities and concerns of the family are addressed and that the system offers equitable opportunities to all eligible families.

Information about the history and components of the Individuals with Disabilities Education Act (IDEA) is included in this module. Procedural safeguards that protect the rights of children and families are described. A model is suggested for helping families understand and benefit from these safeguards as they are applied throughout the early intervention process. Information about the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance and Portability Act of 1996 (HIPAA) is included as well.

Early intervention service coordinators partner with families in an effort to build the family's capacity for meeting the needs of the child. On occasion, the service coordinator may encounter situations that cause concern for the child's safety and wellbeing. According to Tennessee law, all persons must report suspected cases of child abuse or neglect. This module contains information that defines and explains the referral process for abuse and neglect in Tennessee.

A growing concern across the nation and in Tennessee related to abuse and neglect involves children living in homes where methamphetamines are manufactured. These children are known to be at increased risk for severe neglect and are more likely to be abused. Foundational training related to this issue is included in this module.



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#### **Competencies**

- Has knowledge and understanding of the importance of maintaining ethical and professional standards in all aspects of communication with families, professionals, support personnel, service agencies, and the community.
- Demonstrates knowledge and understanding of the requirement to maintain confidentiality with respect to the sharing of child and family information.
- Has knowledge and understanding of legislation, regulations, and procedural safeguards related to the field of early intervention including Part C of IDEA, Rulemaking Hearing Rules of the State Board of Education-TEIS, FERPA, HIPAA, and the Child Abuse Prevention and Treatment Act (CAPTA).
- Has knowledge and understanding of how to locate information found in Rulemaking Hearing Rules of the State Board of Education-TEIS.
- Demonstrates knowledge and understanding of how to empower families by fully informing them of their rights and procedural safeguards initially and throughout the early intervention process.
- Exercises procedural safeguards as described in Part C of IDEA.
- Has knowledge and understanding of Tennessee's laws related to child maltreatment and understands the duty to report, as well as referral policies and procedures.
- Has knowledge and understanding of possible indicators of abuse and neglect.
- Has knowledge and understanding of the health, safety, and developmental risks to children exposed to methamphetamine labs.
- Has knowledge and understanding of Tennessee's Department of Children's Services policies and procedures related to investigation of children exposed to chemical laboratories for the manufacture of methamphetamine.
- Has knowledge and understanding of the effects of maltreatment on early brain development and effective intervention strategies.



## **Module 4**

### **Rules for the Road Laws, Regulations, and Procedural Safeguards**

#### **Contents**

- 4.1 Ethical Conduct
- 4.2 Assuring Quality and Equity for Families  
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- 4.3 Rules for the Road – Components of Part C IDEA and Procedural  
Safeguards
- 4.4 Protecting the Innocent – Child Abuse and Neglect
- 4.5 Methamphetamine's Youngest Victims
- 4.6 Child Abuse – Case Based Assignment/Quiz
- 4.7 Prevent Child Abuse Tennessee

## Module Instructions

### Module 4

#### Rules for the Road Laws, Regulations, and Procedural Safeguards

Procedure/Activity	Materials	Time
Introduce the module by describing its contents. You may use the written description provided at the beginning of this guide if desired.	Description of Module 4	5 minutes
<p>4.1 Ethical Conduct</p> <p>Explain that handout 4.1 <i>DEC Code of Ethics</i> is a model of ethical standards that service coordinators may aspire to. Read or have participants take turns reading each of the first ten numbered items, making the points and providing examples as desired. Emphasize confidentiality when discussing item 10.</p> <p>Provide a copy of handout 4.1a <i>Code of Ethical Conduct and Statement of Commitment-A Position Statement of the National Association for the Education of Young Children</i>. Instruct the participant to read the article outside of training, and place it in their portfolio as a reference.</p>	<p>4.1 <i>DEC Code of Ethics</i>  <a href="http://www.dec-sped.org/pdf/positionpapers/Code%20of%20Ethics.pdf">http://www.dec-sped.org/pdf/positionpapers/Code%20of%20Ethics.pdf</a></p> <p>4.1a <i>Code of Ethical Conduct and Statement of Commitment-A Position Statement of the National Association for the Education of Young Children</i>  <a href="http://www.naeyc.org/about/positions/pdf/PSETH98.PDF">http://www.naeyc.org/about/positions/pdf/PSETH98.PDF</a></p>	<p>20 minutes</p> <p>5 minutes to explain outside assignment</p>
<p>4.2 Assuring Quality and Equity for Families</p> <p>Show PowerPoint <i>Assuring Quality and Equity for Families</i>, making the points and engaging the learner in discussion as desired. Please refer to trainer's notes included on slides 4, 5, 6, 8,</p>	<p>PowerPoint <i>Assuring Quality and Equity for Families</i></p> <p>Computer with monitor or projector or laptop for viewing PowerPoint</p> <p>Print and provide handout of PowerPoint, if desired</p>	90 minutes

Procedure/Activity	Materials	Time
<p>10, 11, 13, 14, 16, 19-24, 29-32.</p> <p>Slide 6 Conduct as a brief discussion/activity.</p> <ul style="list-style-type: none"> <li>• Ask the participant to read the quotation silently thinking about what the words mean to them.</li> <li>• Allow a very brief discussion by having the participant share their thoughts.</li> </ul> <p>Slide 14 Explain that there are nine districts in Tennessee. Each TEIS office is housed at a university, with one exception. Be sure that the new coordinator knows the name/number of the district he/she is working in and the counties served by that district. Provide a copy of your district's Central Directory and point out the contact numbers and layout for the directory. Inform the coordinator that the directory is updated across the state annually.</p> <p>Prior to training, thoroughly familiarize yourself with handout <i>4.2a Assuring the Family's Role on the Early Intervention Team-Explaining Rights and Safeguards</i></p> <p>Slide 16 Stop at slide 16 and use Figure 1, page 6 of article to explain how the review of safeguards can be explained within the context of the various phases of the early intervention process in which the family participates.</p>	<p>District Central Directory</p> <p>If you wish to print this slide as a handout, you will need to print it from the PowerPoint version, not the pdf. It will not print correctly from Adobe Acrobat.</p> <p><i>4.2a Assuring the Family's Role on the Early Intervention Team-Explaining Rights and Safeguards</i>  <a href="http://www.nectac.org/~pdfs/pubs/assuring.pdf">http://www.nectac.org/~pdfs/pubs/assuring.pdf</a></p>	

Procedure/Activity	Materials	Time
<p>Slides 19-29 Provide a copy of <i>The Rights of Infants and Toddlers with Special Needs</i> (Tennessee Department of Education) to the participant.</p> <ol style="list-style-type: none"> <li>1. Read the information on the slide aloud.</li> <li>2. Instruct participant to read aloud the corresponding description from page 4, Table 1 <i>Understanding Procedural Safeguards: Examples of Explanations and Implication for Families</i> in handout 4.2a <i>Assuring the Family's Role on the Early Intervention Team- Explaining Rights and Safeguards</i></li> <li>3. Use <i>The Rights of Infants and Toddlers with Special Needs</i> booklet to discuss each safeguard in detail.</li> </ol> <p>Slide 20 Follow steps 1-3 above. Review the instructions on the back of handout 4.2b Tennessee's <i>Written Prior Notice</i> (WPN) form in detail, focusing on when WPN should be given, timelines, explaining why notice is being given, etc.</p> <p>Instruct the learner to collaborate with an experienced service coordinator in preparing a WPN for a family. The participant will discuss the completed form with the service coordinator or trainer for approval before allowing it to be sent to the family. Instruct the participant to place a copy in their portfolio.</p>	<p><i>The Rights of Infants and Toddlers with Special Needs</i> (Tennessee Department of Education)</p> <p>4.2b <i>Written Prior Notice</i> form with instructions on back</p>	

Procedure/Activity	Materials	Time
<p>Slide 24 Continue to follow procedures in this guide for slides 19-29.</p> <p>Slides 25-28 include information about FERPA and HIPAA. Assign the participant the task of locating (outside of training) the <i>Forum Guide to Protecting the Privacy of Student Information: State and Local Education Agencies</i> on the following website and instruct them to bookmark the site as a reference:  <a href="http://nces.ed.gov/pubs2004/2004330.pdf">http://nces.ed.gov/pubs2004/2004330.pdf</a></p> <p>Show handout 4.2c <i>Position/Reason</i> form that is required to be included in case file folders for documenting the signatures of persons desiring access to a child's record.</p> <p>Slide 30 Follow procedure for slides 19-29 and:</p> <ul style="list-style-type: none"> <li>Review handout 4.2d <i>Mediation Request Form</i> contents with the participant.</li> </ul> <p>Slide 31 Follow procedure for slides 19-29 and:</p> <ul style="list-style-type: none"> <li>Review handout 4.2e <i>Part C Due Process Hearing Request Form</i> contents with the participant.</li> </ul> <p>Slide 32 Follow procedure for slides 19-29 and:</p> <ul style="list-style-type: none"> <li>Assign the participant the task of reading <i>Surrogate</i></li> </ul>	<p><i>Forum Guide to Protecting the Privacy of Student Information: State and Local Education Agencies</i>  <a href="http://nces.ed.gov/pubs2004/2004330.pdf">http://nces.ed.gov/pubs2004/2004330.pdf</a></p> <p>4.2c <i>Position/Reason</i> form</p> <p>4.2d <i>Mediation Request Form</i></p> <p>4.2e <i>Due Process Hearing Request Form</i></p> <p><i>Surrogate Parent Handbook-Guidelines for Tennessee's Early Intervention System (TEIS)</i></p>	

Procedure/Activity	Materials	Time
<p><i>Parent Handbook-Guidelines for Tennessee’s Early Intervention System (TEIS)</i> outside of training.</p> <ul style="list-style-type: none"> <li>When the reading assignment is completed, allow the participant to take the <i>Surrogate Parent Quiz</i> (4.2f). Using the <i>Surrogate Parent Quiz Key</i> (4.2g), tally results. If the participant scores less than 80%, follow up with further explanation of surrogate procedures. Advise the participant to place the completed quiz in the portfolio.</li> </ul>	<p>4.2f <i>Surrogate Parent Quiz</i></p> <p>4.2g <i>Surrogate Parent Quiz Key</i></p>	
<p>4.3 Rules For the Road-Components of Part C IDEA and Procedural Safeguards</p> <p>This activity will allow the participant to gain experience locating information in <i>Rulemaking Hearing Rules of the State Board of Education Chapter 0520-1-10 Tennessee’s Early Intervention System</i> while reinforcing learning.</p> <p>Provide the participant with a copy of the above, and have them complete the “open book” quiz. They may work independently or in groups, depending on the training situation. Review answers with the participant, using the <i>Trainer’s Key</i> (4.3a), and instruct them to place the quiz in their portfolio.</p>	<p>Copy of <i>Rulemaking Hearing Rules of the State Board of Education Chapter 0520-1-10 Tennessee’s Early Intervention System</i> for participant</p> <p>4.3 <i>Rules for the Road-Components of Part C IDEA and Procedural Safeguards</i> quiz</p> <p>4.3a <i>Trainer’s Key – Rules for the Road-Components of Part C IDEA and Procedural Safeguards</i> quiz</p> <p>Appendix <i>Rulemaking Hearing Rules</i> available as pdf. in binder</p>	30 minutes
Take a much-deserved break.		20 minutes

Procedure/Activity	Materials	Time
<p>4.4 Protecting the Innocent</p> <p>Before you begin to use PowerPoint <i>Protecting the Innocent</i>, instruct the participants to read 4.4a <i>In Focus: Understanding the Effects of Maltreatment on Early Brain Development</i> as an out-of-class reading assignment. (Provide copy or direct to website.) Verify that the participant read the article for the portfolio.</p> <p>This excellent article addresses the impact of maltreatment on brain development including the impact of stress, persistent fear, hyper-arousal, dissociation, disrupted attachment, neglect, and global neglect. Implications for practice are discussed.</p> <p>Show PowerPoint <i>Protecting the Innocent</i>, making the points and engaging the learner in discussion as desired. Please refer to trainer's notes included on slides 11, 12, and 13 as well as note on cover page.</p> <p>After discussing slide 11: Discuss handouts 4.4b <i>Findings that Might Appear to be the Result of Disability but Could be Abuse or Neglect</i> and 4.4c <i>Findings that May Indicate Neglect and/or Abuse</i>, making the points briefly.</p>	<p>4.4a <i>In Focus: Understanding the Effects of Maltreatment on Early Brain Development</i>  <a href="http://nccanch.acf.hhs.gov/pubs/focus/earlybrain.cfm">http://nccanch.acf.hhs.gov/pubs/focus/earlybrain.cfm</a></p> <p>PowerPoint <i>Protecting the Innocent</i></p> <p>Computer with monitor or projector or laptop for viewing PowerPoint</p> <p>Print and provide handout of PowerPoint, if desired</p> <p>4.4b <i>Findings that Might Appear to be the Result of Disability but Could be Abuse or Neglect</i></p> <p>4.4c <i>Findings that May Indicate Neglect and/or Abuse</i></p>	<p>10 minutes</p> <p>1 hour</p>
<p>4.5 Methamphetamine's Youngest Victims</p> <p>Familiarize yourself with the articles. Explain that children found in homes where methamphetamines are produced</p>	<p>4.5a <i>Children at Clandestine Methamphetamine Labs: Helping Meth's Youngest Victims</i>  <a href="http://www.ojp.usdoj.gov/ovc/publications/bulletins/children/197590.pdf">http://www.ojp.usdoj.gov/ovc/publications/bulletins/children/197590.pdf</a></p>	<p>30 minutes to discuss and assign items 4.5, 4.6, and</p>

Procedure/Activity	Materials	Time
<p>are at significant risk for health and safety concerns as well as at risk for medical neglect and physical, emotional, and sexual abuse. Discuss any local office policies or procedures that may apply.</p> <p>Instruct the learner to complete an outside reading assignment on this subject by reading:</p> <p><i>4.5a Children at Clandestine Methamphetamine Labs: Helping Meth's Youngest Victims</i></p> <p><i>4.5b Child Protective Services Investigation of Children Exposed to Chemical Laboratories for the Manufacture of Methamphetamine</i></p> <p>Instruct the participant to place copies of the articles in the portfolio upon completion of reading assignment.</p>	<p><i>4.5b Child Protective Services Investigation of Children Exposed to Chemical Laboratories for the Manufacture of Methamphetamine</i></p>	
<p>4.6 Child Abuse – Case Based Assignment/Quiz</p> <p>This assignment is to be completed by the learner independently outside of training.</p> <p>Provide the learner with:</p> <ul style="list-style-type: none"> <li>• Copy of handout 4.6 <i>Case Based Pediatrics For Medical Students and Residents-Chapter XIV.12.Child Abuse</i> (with last page removed) and</li> <li>• 4.6a corresponding <i>Case Based Quiz on Child Abuse</i></li> </ul> <p>Be sure to remove the last page of</p>	<p><i>4.6 Case Based Pediatrics For Medical Students and Residents-Chapter XIV.12.Child Abuse</i>  <a href="http://www.hawaii.edu/medicine/pediatrics/pedtext/s14c12.html">http://www.hawaii.edu/medicine/pediatrics/pedtext/s14c12.html</a></p> <p><i>4.6a Case Based Quiz on Child Abuse</i></p> <p>The answer key is found on the last page of the article.</p>	

Procedure/Activity	Materials	Time
<p>the article and retain as your answer key.</p> <p>Instruct the participant to read the article and write their answers to the five questions on the form.</p> <p>Upon completion, the learner will give the quiz form (4.6a) to the trainer. If the learner scores less than 80%, the trainer will follow up with discussion to clarify any concerns and determine if further input is needed.</p> <p>Instruct the learner to place the quiz in the portfolio.</p>		
<p>4.7 Prevent Child Abuse Tennessee</p> <p>Provide a copy of handout 4.7 <i>Prevent Child Abuse Tennessee</i> and inform the learner of this statewide resource.</p>	<p>Handout 4.7 <i>Prevent Child Abuse Tennessee</i>  <a href="http://www.pcat.org/">http://www.pcat.org/</a></p>	<p>Total time for Module 4=4 ½ hours</p>



## **Module 4**

### **Rules for the Road Laws, Regulations, and Procedural Safeguards**

#### **Bibliography and Resources**

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### Service Coordination Training Tool Addendum

It has come to my attention that page numbers in the electronic copy of *Rulemaking Hearing Rules of the State Board of Education Chapter 0520-1-10 Tennessee's Early Intervention System* (Binder Module 4-Appendix) differ, from the hardcopy of the rules & regs circulated in previous years. As trainers, you have likely been able to make the necessary adjustments in order to locate the appropriate citations. However, it may be helpful to have the consolidated information below. Please copy and add this to your training materials to assist you in evaluating quizzes as you validate portfolio assignments.

Thanks,  
Susan Addison

#### 4.3a Rules for the Road- Trainers Key Components of Part C IDEA and Procedural Safeguards Quiz

Question	Location of Citation in Electronic Binder Module 4-Appendix	Location of Citation in Hardcopy
1. Comprehensive Child Find System means...	0520-1-10-.01 <i>Definitions</i> (8) binder page 204	page 2 of 70
2. Procedures for implementing a broad ongoing Public Awareness Program include:	0520-1-10-.02 <i>Programs &amp; Service Components</i> (1) (b) 2. (i-v) binder page 210-211	page 11 of 70
3. T or F-The department collects and reports data on the number of referrals received by the early intervention system and the referral sources.	0520-1-10-.10 <i>Data Collection</i> (1) (a) binder page 253	page 68 of 70
4. Prior Written Notice shall be given before:	0520-1-10-.03 <i>Procedural Safeguards</i> (2) (a) (1.-3.) binder page 237	page 46 of 70
5. Written Informed Consent shall be obtained before:	0520-1-10-.03 <i>Procedural Safeguards</i> (3) (a) (1.-5.) binder page 238	page 48 of 70
6. T or F-If a parent of an eligible child asks to inspect and review early intervention records, they must be allowed to do so in no more than 45 days after the request is made.	0520-1-.03 <i>Procedural Safeguards</i> (5) (a) (1.-5.) binder page 239	page 49 of 70

**5.9b**  
**More Rules for the Road-Trainer's Key**  
**Defining Natural Environments Quiz**

<b>Question</b>	<b>Location of Citation in Electronic Binder Module 4-Appendix</b>	<b>Location of Citation in Hardcopy</b>
1. Locate and write Tennessee's definition of natural environment.	0520-1-10-.01 <i>Definitions</i> (37) binder page 207	page 7 of 70
2. The discussion of natural environments with families should only be about the locations where services are provided.	0520-1-10-.02 <i>Programs &amp; Service Components</i> (11) Early Intervention Services (a) General binder page 228	page 35 of 70
3. T or F-The natural environments in which the early intervention services will be provided, or a justification of the extent, if any, to which the services will not be provided in the natural environment is required content of the IFSP.	0520-1-10-.02 <i>Programs &amp; Service Components</i> (10) IFSP (d) Content of the IFSP 1.(v) (VI) binder page 225	page 30 of 70

**6.7a More Rules for the Road-Trainer's Key**  
**Intake & Referral Pre-Test/Post-Test**

<b>Question</b>	<b>Location of Citation in Electronic Binder Module 4-Appendix</b>	<b>Location of Citation in Hardcopy</b>
1. Write a definition of "referral" as it relates to early intervention.	0520-1-10-.01 <i>Definitions</i> (49) binder page 209	page 9 of 70
2. Define "primary referral source."	0520-1-10-.01 <i>Definitions</i> (44) binder page 209	page 9 of 70
3. Define "day" in reference to early intervention timelines.	0520-1-10-.01 <i>Definitions</i> (10) binder page 204	page 3 of 70
4. T or F-Upon receipt of the referral, the local point of entry (TEIS district office) shall appoint a service coordinator within five working days.	0520-1-10-.02 <i>Programs &amp; Service Components</i> (4) (c) 1. binder page 212	page 13 of 70
5. T or F- The primary referral source shall refer the infant or toddler with suspected or known delays within two working days.	0520-1-10-.02 <i>Programs &amp; Service Components</i> (4) (a) binder page 212	page 13 of 70
6. T or F- The service coordinator will attempt to contact the family referred, by phone or in person within five working days of receipt of referral.	0520-1-10-.02 <i>Programs &amp; Service Components</i> (4) (c) 2. binder page 212	pages 13-14 of 70
7. If attempts to contact the	0520-1-10-.02 <i>Programs &amp;</i>	pages 13-14 of 70

family by phone or in person are unsuccessful, what should the service coordinator do?	<i>Service Components (4) (c) 2.</i> binder page 212	
8. During the initial meeting with the family, the incoming service coordinator shall:	0520-1-10-.02 <i>Programs &amp; Service Components (5) (a)</i> 1.-.4 binder pages 212-213	page 14 of 70
9. T or F-If the parent or legal guardian refuses the referral to TEIS for the appointment of an incoming service coordinator, the public agency who received the initial referral shall obtain, in writing, the parent's refusal and document that they have been informed of their rights under IDEA Part C.	0520-1-10-.02 <i>Programs &amp; Service Components (5) (b)</i> 1.-2. binder page 213	page 14 of 70
10. T or F-If the family refuses referral to TEIS, but elects to pursue any early intervention service which must be supported through the lead agency, the agency helping the family will not be responsible for ensuring that all of the provisions and components included in the rights of the child and family under IDEA Part C are provided.	0520-1-10-.02 <i>Programs &amp; Service Components (5) (c) 1.</i> (i-iv) binder page 213	pages 14-15 of 70

#### **8.4b Content of IFSP Quiz Trainer's Answer Key**

The following instructions for this quiz are in reference to the hardcopy page numbers:

"Read pages 29 (d) – 32 (ix) of *Rulemaking Hearing Rules of the State Board of Education-Chapter 0520-1-10 Tennessee's Early Intervention System* as an outside assignment."

To locate this information in the electronic binder, go to Module 4-Appendix binder pages 224-226.